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Docket No. 1349.1022/ MDS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Jae-ho MOON et al.

Group Art Unit: 3752

Serial No.: 09/426,644

Examiner: C. Kim

Filed: October 25, 1999

For: A PROCESS OF MANUFACTURING FLUID JETTING APPARATUSES, AND A  
FLUID JETTING DEVICE THEREOF

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

Sir:

This is responsive to the Office Action mailed May 24, 2000, having a shortened period for response set to expire on June 24, 2000, the following remarks are provided.

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

Applicants provisionally elect **Group I, claims 1 through 33** in response to the preliminary restriction requirement set forth in the Office Action.

II. Applicants Traverse the Requirement

Insofar as Group II is concerned, it is believed that claims 34 through 36 are so closely related to elected claims 1 through 33 that they should remain in the same application to

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preserve unity of the invention and to avoid any possibility of a double patenting issue arising at some later date.

The elected claims 1 through 33 are directed to a process of manufacturing a plurality of fluid jetting apparatuses and claims 34 through 36 are directed to the fluid jetting apparatus. There have been no references cited to show any necessity for requiring restriction, and fact, it is believed that the Examiner would find references containing both method and product claims in the same field of technology. While it is noted that the Examiner has identified different classifications for the method and product claims, it is believed that classification is not conclusive on the question of restriction. It is believed, moreover, that evaluation of both sets of claims would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicants in having to protect the additional subject matter recited by the Group II claims by filing a divisional application.

### III. Conclusion

Upon review of references involved in this field of technology, when considering that the product recited by the Group II claims as directed to a result of the method recited in the elected claims 1 through 33, and when all of the various facts are taken into consideration, it is believed that upon reconsideration of the Examiner's initial restriction requirement, all of the pending claims should be examined in the subject application.

If any further fees are required in connection with the filing of this Amendment, please charge the same to our deposit account number 19-3935.

Should any questions remain unresolved, the Examiner is requested to telephone  
Applicants' attorney.

Respectfully submitted,

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Dated 6/23/00

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